

REMARKS

The present Amendment and remarks are in response to the Office Action entered in the above identified case and mailed on November 11, 2002. Claims 3, 12-37 and 39-63 are pending in the application. All of the pending claims stand rejected under 35 U.S.C. §112 as containing subject matter which was not described in the specification in such a way as to enable one of ordinary skill in the art to practice the invention. Claims 3 and 37 are further rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 5,809,144 to Sirbu et al. in view of U.S. Patent No. 5,903,652 to Mital. The Examiner has indicated that claims 12-36 and 39-63 would be allowable if rewritten in independent form including all limitations of the base claims and any intervening claims, and if rewritten to overcome the §112 rejections.

Applicants have cancelled claims 3 and 37, and rewritten claims 12, 13, 14, 34, 35, 36, 39, 40, 41, 61, 62 and 63 as independent claims, including the limitations of one of cancelled claims 3 or 37. Therefore, the only issue that remains is the rejection under 35 U.S.C. §112.

The Examiner objects to the phrase “modular elements” as used in the claims. According to the Examiner this phrase is not adequately described in the specification to enable one of ordinary skill in the art to practice the invention. Applicant respectfully traverses.

Applicant submits that the phrase “modular elements” is enabling on its face. Webster's Third New International Dictionary defines modular as, among other things, “planned or constructed on the basis of a standard pattern or standard dimensions, capable of being easily joined or arranged with other parts or units.” “Element” is defined as “one of the constituent parts, principles materials or traits of anything.”

Thus, when placed together in the same phrase it is fair to say that the ordinary meaning of the terms modular and elements in describing portions of a purchase request message would mean constituent parts of such a message which are planned or constructed according to a standard pattern or standard dimensions which are easily joined or arranged with other parts or units (elements). Applicant respectfully submits that the ordinary meaning of the phrase modular elements in conjunction with the teaching of the specification is sufficient to enable those of ordinary skill in the art to practice the claimed invention.

What is more, examples of modular elements are disclosed in the specification and are claimed in the claims. A digital coupon and a digital gift certificate are disclosed and claimed as modular elements. It should be noted, however, that the invention is not limited to these specific

examples beyond that at least one of said modular elements is to be a digital coupon as called for in the independent claims.

Because the disclosure is sufficient to enable one of ordinary skill in the art to practice the invention, the rejection under 35 U.S.C. §112 is improper and should be withdrawn. Furthermore, since the claims rejected under 35 U.S.C. §103 have been cancelled Applicant submits that all claims are now in condition for allowance.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made."

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



Jeffrey H. Canfield

Reg. No. 38,404

P.O. Box 1135

Chicago, Illinois 60690-1135

Phone: (312) 807-4233

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 3 and 37 have been cancelled.

Claims 12, 13, 14, 34, 35, 36, 39, 40, 41, 61, 62 and 63 have been amended as follows:

12. (Amended) ~~The~~An electronic commerce system of claim 3 comprising:

a client computer; and

a server computer;

the client computer and the server computer being interconnected by a public packet switched communications network;

the client computer being programmed to transmit to the server computer an order acceptance request comprising a plurality of terms or conditions of a proposed offer for a purchase, the order acceptance request comprising a discrete message that includes a plurality of modular elements whose individual integrity is protected by embedding cryptographic security codes within each of the modular elements, at least one of the modular elements individually protected by a cryptographic security code being a digital coupon;

the server computer being programmed to process the order acceptance request based on pre-programmed criteria, including authentication of the cryptographic security codes embedded within each of the modular elements and examination of the modular elements of the discrete message individually protected by the cryptographic security codes, and, based on the processing of the order acceptance request, to transmit to the client computer an order acceptance response based on the pre-programmed criteria, the order acceptance response comprising a discrete message transmitted during a negotiation phase of a transaction that includes a plurality of modular elements whose individual integrity is protected by embedding cryptographic security codes within each of the modular elements;

wherein the client computer is programmed to receive the digital coupon, protected by a cryptographic security code, from another computer.

13. (Amended) ~~The~~An electronic commerce system of claim 3 comprising:

a client computer; and

a server computer;

the client computer and the server computer being interconnected by a public packet switched communications network;

the client computer being programmed to transmit to the server computer an order acceptance request comprising a plurality of terms or conditions of a proposed offer for a purchase, the order acceptance request comprising a discrete message that includes a plurality of modular elements whose individual integrity is protected by embedding cryptographic security codes within each of the modular elements, at least one of the modular elements individually protected by a cryptographic security code being a digital coupon;

the server computer being programmed to process the order acceptance request based on pre-programmed criteria, including authentication of the cryptographic security codes embedded within each of the modular elements and examination of the modular elements of the discrete message individually protected by the cryptographic security codes, and, based on the processing of the order acceptance request, to transmit to the client computer an order acceptance response based on the pre-programmed criteria, the order acceptance response comprising a discrete message transmitted during a negotiation phase of a transaction that includes a plurality of modular elements whose individual integrity is protected by embedding cryptographic security codes within each of the modular elements;

wherein the digital coupon is configured to be used by any coupon holder that possesses the digital coupon, and wherein the server computer is programmed to accept the digital coupon with

14. (Amended) ~~The~~An electronic commerce system of claim 3 comprising:

a client computer; and

a server computer;

the client computer and the server computer being interconnected by a public packet switched communications network;

the client computer being programmed to transmit to the server computer an order acceptance request comprising a plurality of terms or conditions of a proposed offer for a purchase, the order acceptance request comprising a discrete message that includes a plurality of modular elements whose individual integrity is protected by embedding cryptographic security

codes within each of the modular elements, at least one of the modular elements individually protected by a cryptographic security code being a digital coupon;

the server computer being programmed to process the order acceptance request based on pre-programmed criteria, including authentication of the cryptographic security codes embedded within each of the modular elements and examination of the modular elements of the discrete message individually protected by the cryptographic security codes, and, based on the processing of the order acceptance request, to transmit to the client computer an order acceptance response based on the pre-programmed criteria, the order acceptance response comprising a discrete message transmitted during a negotiation phase of a transaction that includes a plurality of modular elements whose individual integrity is protected by embedding cryptographic security codes within each of the modular elements;

wherein the server computer is programmed to determine whether a coupon holder is authorized to use the digital coupon and to accept the digital coupon only if the coupon holder is authorized to use the digital coupon.

34. (Amended) The-An electronic commerce system of claim 3comprising:

a client computer; and

a server computer;

the client computer and the server computer being interconnected by a public packet switched communications network;

the client computer being programmed to transmit to the server computer an order acceptance request comprising a plurality of terms or conditions of a proposed offer for a purchase, the order acceptance request comprising a discrete message that includes a plurality of modular elements whose individual integrity is protected by embedding cryptographic security codes within each of the modular elements, at least one of the modular elements individually protected by a cryptographic security code being a digital coupon;

the server computer being programmed to process the order acceptance request based on pre-programmed criteria, including authentication of the cryptographic security codes embedded within each of the modular elements and examination of the modular elements of the discrete message individually protected by the cryptographic security codes, and, based on the processing of the order acceptance request, to transmit to the client computer an order acceptance response

based on the pre-programmed criteria, the order acceptance response comprising a discrete message transmitted during a negotiation phase of a transaction that includes a plurality of modular elements whose individual integrity is protected by embedding cryptographic security codes within each of the modular elements;

wherein the cryptographic security codes are embedded within respective ones of the plurality of modular elements.

35. (Amended) ~~The~~An electronic commerce system of claim 3comprising:

a client computer; and

a server computer;

the client computer and the server computer being interconnected by a public packet switched communications network;

the client computer being programmed to transmit to the server computer an order acceptance request comprising a plurality of terms or conditions of a proposed offer for a purchase, the order acceptance request comprising a discrete message that includes a plurality of modular elements whose individual integrity is protected by embedding cryptographic security codes within each of the modular elements, at least one of the modular elements individually protected by a cryptographic security code being a digital coupon;

the server computer being programmed to process the order acceptance request based on pre-programmed criteria, including authentication of the cryptographic security codes embedded within each of the modular elements and examination of the modular elements of the discrete message individually protected by the cryptographic security codes, and, based on the processing of the order acceptance request, to transmit to the client computer an order acceptance response based on the pre-programmed criteria, the order acceptance response comprising a discrete message transmitted during a negotiation phase of a transaction that includes a plurality of modular elements whose individual integrity is protected by embedding cryptographic security codes within each of the modular elements;

wherein the cryptographic security codes are digital signatures.

36. (Amended) ~~The~~An electronic commerce system of claim 3comprising:

a client computer; and

a server computer;

the client computer and the server computer being interconnected by a public packet switched communications network;

the client computer being programmed to transmit to the server computer an order acceptance request comprising a plurality of terms or conditions of a proposed offer for a purchase, the order acceptance request comprising a discrete message that includes a plurality of modular elements whose individual integrity is protected by embedding cryptographic security codes within each of the modular elements, at least one of the modular elements individually protected by a cryptographic security code being a digital coupon;

the server computer being programmed to process the order acceptance request based on pre-programmed criteria, including authentication of the cryptographic security codes embedded within each of the modular elements and examination of the modular elements of the discrete message individually protected by the cryptographic security codes, and, based on the processing of the order acceptance request, to transmit to the client computer an order acceptance response based on the pre-programmed criteria, the order acceptance response comprising a discrete message transmitted during a negotiation phase of a transaction that includes a plurality of modular elements whose individual integrity is protected by embedding cryptographic security codes within each of the modular elements;

wherein the cryptographic security codes are message authentication codes.

39. (Amended) A method of ~~claim 38~~ processing order acceptance requests in an electronic commerce system, comprising a client computer and a server computer interconnected by a public packet switched communications network, the method comprising:

receiving at the server computer an order acceptance request transmitted by the client computer comprising a plurality of terms or conditions of a proposed offer for a purchase, the order acceptance request comprising a discrete message that includes a plurality of modular elements whose individual integrity is protected by cryptographic security codes embedded within each of the modular elements, at least one of the modular elements individually protected by a cryptographic security code being a digital coupon;

processing the order acceptance request based on pre-programmed criteria, including authentication of the cryptographic security codes and examination of the modular elements of the discrete message individually protected by the cryptographic security codes; and

based on the processing of the order acceptance request, transmitting to the client computer an order acceptance response based on the pre-programmed criteria, the order acceptance response comprising a discrete message transmitted during a negotiation phase of a transaction that includes a plurality of modular elements whose individual integrity is protected by cryptographic security codes embedded within each of the modular elements;

wherein the client computer receives the digital coupon, protected by a cryptographic security code, from another computer.

40. (Amended) A method of ~~claim 38~~processing order acceptance requests in an electronic commerce system, comprising a client computer and a server computer interconnected by a public packet switched communications network, the method comprising:

receiving at the server computer an order acceptance request transmitted by the client computer comprising a plurality of terms or conditions of a proposed offer for a purchase, the order acceptance request comprising a discrete message that includes a plurality of modular elements whose individual integrity is protected by cryptographic security codes embedded within each of the modular elements, at least one of the modular elements individually protected by a cryptographic security code being a digital coupon;

processing the order acceptance request based on pre-programmed criteria, including authentication of the cryptographic security codes and examination of the modular elements of the discrete message individually protected by the cryptographic security codes; and

based on the processing of the order acceptance request, transmitting to the client computer an order acceptance response based on the pre-programmed criteria, the order acceptance response comprising a discrete message transmitted during a negotiation phase of a transaction that includes a plurality of modular elements whose individual integrity is protected by cryptographic security codes embedded within each of the modular elements;

wherein the digital coupon is configured to be used by any coupon holder that possesses the digital coupon, the method further comprising accepting the digital coupon at the server computer is programmed without regard to identity to the coupon holder.

41. (Amended) A method of ~~claim 38~~processing order acceptance requests in an electronic commerce system, comprising a client computer and a server computer interconnected by a public packet switched communications network, the method comprising:

receiving at the server computer an order acceptance request transmitted by the client computer comprising a plurality of terms or conditions of a proposed offer for a purchase, the order acceptance request comprising a discrete message that includes a plurality of modular elements whose individual integrity is protected by cryptographic security codes embedded within each of the modular elements, at least one of the modular elements individually protected by a cryptographic security code being a digital coupon;

processing the order acceptance request based on pre-programmed criteria, including authentication of the cryptographic security codes and examination of the modular elements of the discrete message individually protected by the cryptographic security codes; and

based on the processing of the order acceptance request, transmitting to the client computer an order acceptance response based on the pre-programmed criteria, the order acceptance response comprising a discrete message transmitted during a negotiation phase of a transaction that includes a plurality of modular elements whose individual integrity is protected by cryptographic security codes embedded within each of the modular elements;

further comprising the steps of determining whether a coupon holder is authorized to use the digital coupon and accepting the digital coupon at the server computer only if the coupon holder is authorized to use the digital coupon.

61. (Amended) A method of ~~claim 37~~processing order acceptance requests in an electronic commerce system, comprising a client computer and a server computer interconnected by a public packet switched communications network, the method comprising:

receiving at the server computer an order acceptance request transmitted by the client computer comprising a plurality of terms or conditions of a proposed offer for a purchase, the order acceptance request comprising a discrete message that includes a plurality of modular elements whose individual integrity is protected by cryptographic security codes embedded within each of the modular elements, at least one of the modular elements individually protected by a cryptographic security code being a digital coupon;

processing the order acceptance request based on pre-programmed criteria, including authentication of the cryptographic security codes and examination of the modular elements of the discrete message individually protected by the cryptographic security codes; and

based on the processing of the order acceptance request, transmitting to the client computer an order acceptance response based on the pre-programmed criteria, the order acceptance response comprising a discrete message transmitted during a negotiation phase of a transaction that includes a plurality of modular elements whose individual integrity is protected by cryptographic security codes embedded within each of the modular elements;

wherein the cryptographic security codes are embedded within respective ones of the plurality of modular elements.

62. (Amended) A method of ~~claim 37~~processing order acceptance requests in an electronic commerce system, comprising a client computer and a server computer interconnected by a public packet switched communications network, the method comprising:

receiving at the server computer an order acceptance request transmitted by the client computer comprising a plurality of terms or conditions of a proposed offer for a purchase, the order acceptance request comprising a discrete message that includes a plurality of modular elements whose individual integrity is protected by cryptographic security codes embedded within each of the modular elements, at least one of the modular elements individually protected by a cryptographic security code being a digital coupon;

processing the order acceptance request based on pre-programmed criteria, including authentication of the cryptographic security codes and examination of the modular elements of the discrete message individually protected by the cryptographic security codes; and

based on the processing of the order acceptance request, transmitting to the client computer an order acceptance response based on the pre-programmed criteria, the order acceptance response comprising a discrete message transmitted during a negotiation phase of a transaction that includes a plurality of modular elements whose individual integrity is protected by cryptographic security codes embedded within each of the modular elements;

wherein the cryptographic security codes are digital signatures.

63. (Amended) A method of ~~claim 37~~ processing order acceptance requests in an electronic commerce system, comprising a client computer and a server computer interconnected by a public packet switched communications network, the method comprising:

receiving at the server computer an order acceptance request transmitted by the client computer comprising a plurality of terms or conditions of a proposed offer for a purchase, the order acceptance request comprising a discrete message that includes a plurality of modular elements whose individual integrity is protected by cryptographic security codes embedded within each of the modular elements, at least one of the modular elements individually protected by a cryptographic security code being a digital coupon;

processing the order acceptance request based on pre-programmed criteria, including authentication of the cryptographic security codes and examination of the modular elements of the discrete message individually protected by the cryptographic security codes; and

based on the processing of the order acceptance request, transmitting to the client computer an order acceptance response based on the pre-programmed criteria, the order acceptance response comprising a discrete message transmitted during a negotiation phase of a transaction that includes a plurality of modular elements whose individual integrity is protected by cryptographic security codes embedded within each of the modular elements;

wherein the cryptographic security codes are message authentication codes.